



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 21, 1992

Ms. Merri Schneider-Vogel
Bracewell & Patterson
2900 South Tower Pennzoil Place
Houston, Texas 77002-2781

OR92-419

Dear Ms. Schneider-Vogel:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 16295.

The Deer Park Independent School District (the "school district"), which you represent, has received a request for "a copy of billings from Bracewell & Patterson and any other law firm retained by Deer Park ISD for legal services from August 1, 1991, through the current date." You claim that some of the requested information contained is excepted from required public disclosure by the attorney-client privilege.

Although this office has frequently cited section 3(a)(1) to except from required public disclosure information within the attorney-client privilege, the privilege is more specifically covered under section 3(a)(7). Open Records Decision No. 574 (1990). Section 3(a)(7) protects

matters in which the duty of the Attorney General of Texas or an attorney of a political subdivision, to his client, pursuant to the Rules and Canons of Ethics of the State Bar of Texas are prohibited from disclosure, or which by order of a court are prohibited from disclosure. (Footnote omitted.)

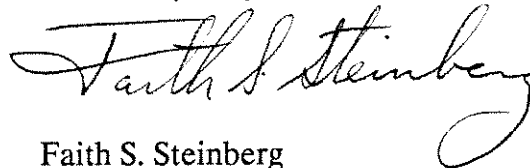
Attorney-client communications, however, may be withheld only to the extent that such communications document confidences of governmental representatives or reveal the attorney's legal opinion and advice. Open Records Decision No. 574 at 3. Records of calls made, meetings attended, or memos sent, so long as no legal

advice or client confidences are revealed, may not be excepted under section 3(a)(7). *Id.*

You have submitted to us for review three invoices which you advise are responsive to the request for information. You claim that the unmarked portions of the invoices are excepted by sections 3(a)(1) and 3(a)(7) as information deemed confidential by the attorney-client privilege. We have examined the invoices and agree that the information detailing daily activities undertaken by lawyers on behalf of clients may constitute legal opinion and advice or client confidences. Accordingly, this information may be withheld from required public disclosure under section 3(a)(7) of the Open Records Act. However, information contained in the invoices which summarizes total attorneys' fees and expenses owed does not constitute legal opinion and advice or client confidences and may not be withheld under section 3(a)(7). This information has been marked and must be released.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-419.

Yours very truly,



Faith S. Steinberg
Assistant Attorney General
Opinion Committee

FS/GCK/lmm

Enclosures: Marked Documents

Ref.: ID# 16295
ID# 16727